

THE HONORABLE THOMAS S. ZILLY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

APEXART CURATORIAL PROGRAM,
INC.,

Plaintiff,

v.

BAYSIDE ROLLERS LLC, ABIGAIL
CARSWELL, BAYSIDE HOSPITALITY
LLC, a Washington Limited Liability
Company, and AMERICAN URBAN ART
AND GRAFFITI CONSERVATION
PROJECT, a Washington Non-Profit
Corporation,

Defendants.

No. 2:22-cv-01807-TSZ

**DECLARATION OF EMILY
PARSONS IN SUPPORT OF
PLAINTIFF'S UNOPPOSED MOTION
TO PERMIT PLAINTIFF TO AMEND
COMPLAINT BASED ON RECENT
DISCOVERY**

Emily Parsons states and declares as follows:

1. I am over eighteen years of age, competent to testify, and submit this declaration based upon personal knowledge.

2. I am one of the attorneys representing Plaintiff Apexart Curatorial Program, Inc. in this matter, and I make this declaration in support of Plaintiff's Unopposed Motion to Permit Plaintiff to Amend Complaint Based on Recent Discovery.

3. Plaintiff received certain emails from Defendants on September 1, 2023 and deposed John Carswell, owner of Bayside Hospitality LLC and board member for AMGRAF, on

DECLARATION OF EMILY PARSONS IN SUPPORT OF
UNOPPOSED MOTION TO PERMIT PLAINTIFF TO AMEND
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1 September 5, 2023. The emails and deposition testimony revealed that AMGRAF owns the
2 museum housed in APEX Art and Culture Center and that Bayside Hospitality LLC operates the
3 APEX Art and Culture Center building, including the restaurant and events, and promotions using
4 the mark “APEX Art and Culture Center.”

5 4. On September 6, 2023, I reached out to counsel requesting their consent to amend
6 the complaint to join additional parties.

7 5. The Parties met on September 20, 2023. During that meeting, counsel for
8 Defendants conveyed that they did not oppose Plaintiff’s motion, which was filed concurrently
9 with this declaration. At that meeting, the Parties agreed that there would be no need to make any
10 other changes to the deadlines in the scheduling order (Dkt. No. 19).

11 I declare under penalty of perjury under the laws of the United States of America that the
12 foregoing is true and correct.

13 DATED this 21st day of September, 2023, at Seattle, Washington.

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15 *s/ Emily Parsons*
Emily Parsons, WSBA No. 57061
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